

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
IN ADMIRALTY**

<b>GREAT LAKES INSURANCE SE,</b>	:	
<b>Plantation Place</b>	:	
<b>30 Fenchurch Street</b>	:	
<b>London EC3M 3AJ</b>	:	
<b>United Kingdom</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>RAIDERS RETREAT</b>	:	
<b>REALTY CO., LLC</b>	:	
<b>P.O. Box 549</b>	:	
<b>Abington, PA 19001</b>	:	
	:	
<b>Defendant.</b>	:	
	:	

---

**GREAT LAKES INSURANCE SE’S STATUS REPORT**

COMES NOW the Plaintiff/Counter-Defendant, GREAT LAKES INSURANCE SE, by and through its undersigned attorneys, pursuant to the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Eastern District of Pennsylvania, and for its response to this Court’s Order of October 14, 2022 [ECF no. 67], respectfully states as follows:

The Third Circuit ruled that the Supreme Court’s analysis of the forum selection provision in *The Bremen v. Zapata Off-Shore Co.*, 407 U.S. 1 (1972) should be applied in analyzing the choice of law provision in this matter.<sup>1</sup> Accordingly, it is Plaintiff/Counter-Defendant’s understanding that the Third Circuit wants the District Court to determine whether the enforcement of the presently disputed choice of law clause and the consequent election of

---

<sup>1</sup> It should be noted that GREAT LAKES INSURANCE SE, as Appellee, will be filing a Petition for Writ of Certiorari with the United States Supreme Court. The filing deadline for the writ is November 28, 2022.

New York law would “contravene a strong public policy” of Pennsylvania, such that its enforcement would violate the “unreasonable or unjust” standard from *Bremen. Great Lakes Ins. SE v. Raiders Retreat Realty Co., LLC*, 47 F.4th 225, 230 (3d Cir. 2022).

Therefore, it is the position of Plaintiff/Counter-Defendant that the proper way to proceed is for the parties to submit supplemental memoranda of law directed solely to the issue of determining whether the enforcement of the disputed choice of law clause, and the consequent displacement of Pennsylvania law, would be contrary to a strong public policy of Pennsylvania.

Respectfully submitted, this 28th day of October 2022.

**GOLDMAN & HELLMAN**  
Attorneys for Plaintiff  
8751 W. Broward Blvd., Suite 404  
Fort Lauderdale, FL 33324  
Tel (954) 356-0460  
Fax (954) 832-0878

By: //s// Michael I. Goldman  
MICHAEL I. GOLDMAN

**DEASEY, MAHONEY & VALENTINI, LTD.**  
Attorneys for Plaintiff  
1601 Market Street, Suite 3400  
Philadelphia, PA 19103  
Tel (215) 587-9400  
Fax (215) 587-9456

By: //s// George R. Zacharkow  
GEORGE R. ZACHARKOW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed with the Court using the CM/ECF System which will provide and electronic notice to all counsel, of record.

Respectfully submitted, this 28th day of October 2022.

**GOLDMAN & HELLMAN**

Attorneys for Plaintiff  
8751 W. Broward Blvd., Suite 404  
Fort Lauderdale, FL 33324  
Tel (954) 356-0460  
Fax (954) 832-0878

**DEASEY, MAHONEY & VALENTINI, LTD.**

Attorneys for Plaintiff  
1601 Market Street, Suite 3400  
Philadelphia, PA 19103  
Tel (215) 587-9400  
Fax (215) 587-9456

By: //s// Michael I. Goldman  
MICHAEL I. GOLDMAN

By: //s// George R. Zacharkow  
GEORGE R. ZACHARKOW